

REMARKS

Receipt is acknowledged of the final Office Action mailed September 8, 2005. Claims 82-91 were pending in the office action mailed September 8, 2005. In this Office Action, claims 82-89 were provisionally rejected by the Examiner as being unpatentable over claim 91 of copending Application No. 10/206,361. Claims 90-91 were objected to as being dependent upon a rejected base claim.

The specific grounds for rejection, and Applicant's response thereto, are set out in detail below. Claims 82-91 are pending for reconsideration, which is respectfully requested in view of the following remarks.

I Double Patenting Rejection

A. Provisional Obviousness-Type Double Patenting Rejection

The Examiner has provisionally rejected claims 82-89 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 91 of copending Application Serial No. 10/206,361. The Examiner has alleged that although the conflicting claims are not identical, they are not patentably distinct from each other.

Copending Application Serial No. 10/206,361 has been abandoned as of 03/10/2005 in light of which, the present rejection is rendered moot. The objection to claims 90-91 as being dependent upon a rejected base claim is also obviated for the same reason and therefore, withdrawal of the rejection and objection is respectfully requested.

CONCLUSION

Applicant respectfully asserts that this case is in condition for allowance. In view of the above mentioned remarks, Applicant respectfully requests that all objections and rejections be withdrawn and that a notice of allowance be forthcoming. The Examiner is invited to contact the undersigned attorney for Applicant at (202) 912-2197 for any reason related to the advancement of this case.

Respectfully submitted,



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